

PENNZOIL COMPANY

PENNZOIL PLACE • P.O. BOX 2987 • HOUSTON, TEXAS 77252-2987 • (713) 546-8832

12
ORIGINAL
(Red)

ELIZABETH M. CHIPINSKI
Attorney

March 4, 1992

VIA FAX AND AIRBORNE EXPRESS

Ms. Lydia Guy
SPCC Regional Hearing Clerk (3RC00)
U. S. Environmental Protection Agency
Region III
841 Chestnut Building
Philadelphia, PA 19107

Re: Request for Administrative Hearing
SPCC Docket No. WV-89-009

Dear Ms. Guy:

On behalf of Pennzoil Products Company, Etowah Terminal, Charleston, West Virginia (Company), I, Elizabeth M. Chipinski, hereby request that an administrative hearing be scheduled in the above-referenced matter in accordance with 40 C.F.R. § 114.5.

The purpose of this request is to provide the Company with an opportunity to present testimonial and documentary evidence regarding the appropriateness of the proposed penalty. As set forth in detail in its mitigation request of February 12, 1992, the Company contends that the proposed penalty is excessive, given the specific circumstances of this case. The Company does not intend to raise issues concerning liability at the hearing.

Although we remain hopeful that the issue of the penalty amount may be resolved without the need for a formal hearing, this request is nevertheless submitted today so as to preserve our right to a hearing should this matter fail to be resolved informally. In the interest of achieving an informal resolution in this matter, the Company proposes that an informal settlement conference be scheduled prior to the hearing date.

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-2-

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Please do not hesitate to contact me at the above address or phone number to further discuss this matter. In accordance with the regulations, I have enclosed a copy of the Notice of Violation.

Sincerely,



Elizabeth M. Chipinski

EMC:pp

Enclosure

cc: Ms. Judith Hykel